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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No.: CR 08-676 VRW
)	
Plaintiff,)	PARTIES' STIPULATION AND
)	PROPOSED ORDER CONTINUING
VS.)	DATE FOR CHANGE OF PLEA
)	
MIGUEL DOMINGUEZ MURILLO, SR.,)	
MIGUEL DOMINGUEZ MURILLO, JR.)	
)	
)	
Defendants.)	
)	

The parties stipulate and agree, and the Court finds and holds, as follows:

- The parties made their initial appearance before this Court on the instant case November 6, 2008. At that time, the parties requested December 18, 2008 as a date for change of plea in the matter.
- Government counsel recently received a communication from counsel for Miguel Murillo, Sr., regarding the proposed plea agreement. Government counsel requires additional time to consider the request and discuss it with defense counsel. The parties are prepared, however, to go forward with a change of plea with respect to Miguel Murillo, Jr. on January 22, 2009.

3. Therefore, the parties jointly request that the matter be calendared for change of plea on February 5, 2009 and that the January 22, 2009 date, with respect to Miguel Dominguez Murillo, Sr., be vacated.

4. The parties further request that time be excluded in the interim time period due to the effective preparation of counsel. See 18 U.S.C. §§ 3161(h)(1)(F) and 18 U.S.C. § 3161(h)(8)(A), (B)(iv). The ends of justice would be served by the Court excluding the proposed time period. These ends outweigh the best interest of the public and the defendant in a speedy trial. See id. § 3161(h)(8)(A).

5. It is therefore the request of both parties that the matter be continued until February 5, 2009 for change of plea.

SO STIPULATED.

DATED: January 21, 2009

Respectfully Submitted,

/s/_____
SUSAN R. JERICH
Assistant United States Attorney

DATED: January 21, 2009

/s/_____
ANN C. MORMAN
Counsel for Defendant Miguel Murillo, Sr.

PURSUANT TO STIPULATION, IT IS SO ORDERED

DATED: 1/23/2009



CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the Parties' Stipulation and Proposed Order in the case of United States v. Miguel Murillo, Sr. CR 08-676 VRW. was served today as follows:

Via email delivery
Ann C. Mormom

I certify under penalty of perjury that the foregoing is true and correct.

Executed on __01/21/2009__ at __San Francisco__, California.

/s/
Sheryl Castillo
United States Attorney's Office